

**MEMORANDUM FOR BUREAU CHIEF PROCUREMENT OFFICERS****FROM:**

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SENIOR PROCUREMENT EXECUTIVE,
OFFICE OF THE PROCUREMENT EXECUTIVE

SUBJECT: Usage of electronic Small Business Review System (e-SBRS).

1. Purpose: This Acquisition Procedures Update (APU) is issued to revise the DTAP in order to address Treasury's small business review requirement.

2. Effective Date: October 1, 2015

3. Expiration Date: Until otherwise canceled, superseded or included within a future edition of the DTAP.

4. Background: As part of the Office of Procurement (OPE) and Office of Small and Disadvantaged Business Utilization (OSDBU) ongoing efforts to update Treasury acquisition policy, procedures and guidance for the acquisition workforce, a lack of clarity was identified in the DTAP regarding the mechanism to be used for meeting the small business review requirement as prescribed in DTAP part 1019 and the U.S. Department of Treasury's Small Business Program Handbook. As a result, the Director of OSDBU determined that the DTAP needed to be amended to include the specific link to the mechanism that is to be used by Bureaus as well as to further clarify the procedures for small business review. Therefore, this APU reflects the changes needed to amend the DTAP regarding Treasury's small business review requirement. Overall, the SPE has determined that the issuance of an amendment to the DTAP is necessary; thereby as the authorized authority is issuing this APU to implement this amendment.

5. Department of the Treasury Acquisition Procedures: The DTAP is amended as follows:

A. 1004.70 is revised to read as follows:

SUBPART 1004.70 SMALL BUSINESS REVIEW REQUIREMENTS**1004.7000 Scope of subpart.**

This subpart deals with Treasury's review policies and procedures for providing maximum practicable opportunities in Treasury acquisitions to small businesses.

1004.7001 Purpose.

The purpose of reviewing acquisitions is to ensure Treasury provides maximum practicable opportunities in its acquisitions to small businesses.



DEPARTMENT OF THE TREASURY

WASHINGTON, D.C. 20220

1004.7002 Applicability.

This subpart applies to all acquisitions except-

(a) Orders (also known as Calls) placed under existing agreements entered into pursuant to FAR subpart 16.7 that were previously reviewed by the SBS;

(b) Orders placed under existing indefinite-delivery contracts that were entered into pursuant to FAR subpart 16.5 that were previously reviewed by the SBS; and

(c) Orders placed under existing contracts or agreements entered into pursuant to FAR subpart 8.4 that were previously reviewed by the SBS.

However, the SBS and OSDDBU reserve the right to request an acquisition be submitted for review.

1004.7003 General.

(a) The Department of the Treasury's OSDDBU assists, counsels, and advises small businesses of all types (e.g. 8(a), SDB, WOSB, SDVOSB and HUBZone) on procedures for contracting with Treasury. In support of the FAR and as part of its mission, OSDDBU requires that for acquisitions exceeding a certain dollar value or that involve bundling they are submitted for review.

(b) Treasury has developed a web based automated solution, called the electronic small business review system (e-SBRS), to support small business review processing within Treasury. E-SBRS enables the CS, CO, Small Business Specialist, the Director of OSDDBU, OSDDBU representative, SBA procurement center representative (or, if a procurement center representative is not assigned see FAR 19.402) and other selected individuals to electronically review acquisitions. E-SBRS is available at <http://hqitapps.treas.gov/Default.aspx>.

(c) *E-SBRS Registration.* BCPOs are responsible for ensuring acquisition personnel requiring access to the e-SBRS are registered.

1004.7004 Small Business Review Requirements.

The Director of OSDDBU may establish different dollar thresholds than those provided below in order to accommodate specific Bureau contracting business requirements. The Director of OSDDBU shall provide a copy of the written agreement established between OSDDBU and the Bureau to the SPE.

(a) *Greater than micro-purchase threshold and up to \$25,000.* At the request of the Bureau SBS, the CO shall make available for review all proposed acquisitions in excess of the micro-purchase threshold and up to \$25,000 that have not been unilaterally set-aside for small business. Bureaus shall use Treasury Standard Form (SF) 1010, Market Research Summary Report, or another OSDDBU approved form for the purpose of this review.

(b) *Greater than \$25,000 and up to the SAT.* All proposed acquisitions in excess of \$25,000 and up to the SAT that have not been unilaterally set-aside for small business shall be reviewed by the SBS. Bureaus shall use Treasury SF 1010, Market Research Summary Report, or another OSDDBU approved form for the purpose of this review.

(c) *Greater than SAT.* All proposed acquisitions in excess of the SAT that have not been unilaterally set-aside for small business shall be submitted in e-SBRS for review. The CO is responsible for entering the required information into e-SBRS as well as attaching all necessary documentation needed for review. A copy of the disposition of the e-SBRS review shall be placed in the contract file.



DEPARTMENT OF THE TREASURY

WASHINGTON, D.C. 20220

(d) *Bundled requirements.* All proposed acquisitions regardless of dollar value involving bundling shall be submitted in e-SBRS for review. A copy of the disposition of the e-SBRS review shall be placed in the contract file.

1004.7005 Rejection of SBS recommendation.

If the CO rejects a recommendation of the SBS, the CO shall provide written notice to the OSDDBU within 5 working days of the CO's receipt of the recommendation.

B. 1010.002(e)(2) is revised to read as follows:

(e)(2) *Template.* Treasury Standard Form 1010, Market Research Summary Report, shall be used for documenting the results of market research for acquisitions exceeding the SAT. Bureaus may use this form for acquisitions at or below the SAT as well.

C. 1019 is revised to add the following:

1019.202 General.

(c) See 1004.70 for Treasury's small business review requirements.

1019.501 General.

(c) See 1004.70 for Treasury small business review requirements.

D. 1019.501(i) is deleted in its entirety.

E. 1019.502-1 is deleted in its entirety.

F. 1019.502-2 is deleted in its entirety.

G. 1053.2 is revised to add the following:

1053.210-70 Market Research.

The following form is prescribed, as stated in the below paragraph, for use in documenting market research. Bureaus may prescribe additional instructions for use of the form.

(a) Treasury SF 1010 Market Research Summary Report, shall be used as specified in 1010.002(e)(2).

H. 1053.303 is revised to read as follows:

FROM:

[Reserved]	SF 1010
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TO:

Market Research Summary Report	SF 1010
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WASHINGTON, D.C. 20220

6. Required Bureau Actions: Bureau Chief Procurement Officers shall—

- a. Ensure dissemination of this APU to all impacted acquisition personnel;
- b. Ensure contracting personnel are registered in e-SBRS and able to use it by 10/01/15;
- c. Ensure the effective implementation of the Market Research Summary Report form to ensure usage by 10/01/15; and
- d. Update any related Bureau policies and procedures impacted by this APU.

7. Additional Information: My point of contact for this APU is Mr. Thomas O'Linn, who may be reached at thomas.olinn@treasury.gov or at OfficeoftheProcurementExecutive@treasury.gov.

Market Research Summary Report

Refer to instructions for guidance on completing this report

PART I. OVERVIEW

A. Title of Requirement/Project:

B. Description of Requirement:

C. Discussion of Procurement Background/ History (if applicable):

D. This acquisition is for: Supplies ☐ Services ☐ Supplies & Services ☐ Construction ☐

E. This is a: First time buy ☐ Previous acquisition ☐ Modification ☐

PART II. TECHNIQUES

A. Techniques Used (Check all that apply):

- ☐ Contacted knowledgeable individuals in Government (e.g. Bureau SBS) and Industry.
- ☐ Reviewed the results of recent market research to meet similar or identical requirements.
- ☐ Published formal requests for information in appropriate technical or scientific journals or business publications.
- ☐ Queried Government-wide database and other Government and commercial databases (e.g. Treasury mandatory source list, FPDS-NG, FAPIS, SBA Dynamic Search and PPIRS).
- ☐ Participated in interactive, on-line communication among industry, acquisition personnel & customers.
- ☐ Obtained source lists of similar items from other contracting activities or agencies, trade associations or other sources.
- ☐ Reviewed catalogs and other generally available product literature published by manufacturers, distributors, and dealers or available on-line (e.g. GSA's Green catalog).
- ☐ Conducted interchange meetings or held pre-solicitation conferences to involve potential offerors early in the acquisition process.
- ☐ Reviewed prior acquisition history for similar or identical requirements.
- ☐ Published requests for information, sources sought notices or draft solicitations or draft requirement documentation on the GPE, other government website (e.g. GSA E-Buy), or appropriate public sites.
- ☐ Sponsored or held industry conferences or industry days, vendor forums, webinars, one-on-one meetings or other similar outreach opportunities with industry.
- ☐ Performed site visits (e.g. government personnel visiting vendor facilities).
- ☐ Other: _____
- ☐ Other: _____
- ☐ Other: _____

B. Details surrounding techniques used (e.g. timeframe, individuals involved, etc.):

Market Research Summary Report

PART III. FINDINGS

A. 1. Product Service Code: _____ 2. NAICS Code: _____

3. Small Business Size Standards No. of Employees or Dollar Amount: _____

B. Commercial Item ☐ Non-Commercial Item ☐ C. Competitive ☐ Non-Competitive ☐

D. Green Procurement items: Yes ☐ No ☐ E. EHS Requirements: Yes ☐ No ☐

F. IGCE: _____ G. Subcontracting possibilities: Yes ☐ No ☐

H. The requirement can be best met via: Open Market ☐ Federal Supply Schedule ☐
Treasury/Bureau contract ☐ Other Agency contract ☐ Other ☐

I. Small businesses weren't identified ☐ or Small businesses were identified and they fall in the following socio-economic category(ies): SDB ☐ 8(a) ☐ HUBZone ☐ SDVOSB ☐ WOSB ☐ EWOSB ☐ Other ☐

J. Ability to provide opportunity for small businesses via: 1. Set-aside: Total ☐ or Partial ☐;
2. Evaluation preference ☐; or 3. Other ☐

K. The following is/are the potential source(s) identified:

Company Name	Business Size	Socio-Economic category(ies)

L. Additional findings/ outcomes: _____

PART IV. CONCLUSION

Based on the results of the market research conducted, it is concluded: _____

Market Research Summary Report

PART V. PREPARED/ APPROVED BY:

1. Name of Program Office Representative:	Signature:	Date:
2. Name of Contract Specialist:	Signature:	Date:
3. Name of Contracting Officer (CO):	Signature:	Date:
4. Supporting Attachments: No <input type="checkbox"/> Yes <input type="checkbox"/> If yes, list the title of each attachment:		

PART VI. SMALL BUSINESS SPECIALIST REVIEW AND CO RESPONSE:

Complete this part only if meets the criteria set for in DTAP 1004.70

A. As the Bureau appointed Small Business Specialist, I certify that I have reviewed this report and hereby concur ☐ / do not concur ☐ with the findings and resultant conclusion.

Name of Small Business Specialist:	Signature:	Date:
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The following are my recommendations:

B. As the Contracting Officer, I have considered the Small Business Specialist's recommendations and accept ☐ / reject ☐ their recommendations for the following reasons.

Name of Contracting Officer:	Signature:	Date:
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INSTRUCTIONS FOR MARKET RESEARCH SUMMARY REPORT

Hyperlinks are included in the form and these instructions. However, most only go to the main page where this information can be found, thus will require additional individual action (e.g. going to the specific FAR citation). Also, refer to one's Bureau procedures for any additional requirements. Use Optional Form 1050, Continuation Sheet, for additional space.

PART I. OVERVIEW:

A. Title of Requirement/Project (if applicable): Enter the title of the requirement/project.

B. Description of Requirement: Enter a brief description of the requirement. Include information on estimated need date/anticipated period of performance.

C. Discussion of Procurement Background/ History (if applicable): Provide procurement background and/or history for this requirement, including, but not limited to, describing prior procurements for identical or similar supplies/services; previous award numbers, award values, expiration date, type of contract, names of the contractors; and any changes that occurred from the previous to the new requirement, key requirements. If it is a new requirement enter "N/A" and "New requirement with no procurement background history."

D. This acquisition is for: Check the appropriate box to indicate the type of requirement.

E. This is a: Check the appropriate box indicating whether this is a first time buy, previous acquisition or modification.

PART II. TECHNIQUES:

A. Techniques: Check all applicable techniques used in conducting market research (see [FAR 10.1002\(b\)\(2\)](#) and DTAP 1010.1002(b)(2)). Consult one's Small Business Specialist (SBS) for information on small businesses. An example of other technique is "Received an Unsolicited proposal" (see [FAR 15.6](#) and Bureau policy).

B. Details surrounding techniques used: Provide the timeframe when the market research was performed and the names of participants involved and their corresponding responsibility (e.g. Contract Specialist) along with additional details (e.g. award numbers reviewed; name(s) of individuals contacted; name of the publication/ catalog/ the product literature used).

PART III. FINDINGS:

A. PSC/ NAICS/ Small Business Size Standard:

1. **Product or Service Code (PSC):** Enter the appropriate PSC code. Refer to the hyperlink provided for assistance.

2. **North American Industry Classification System (NAICS):** Enter the appropriate NAICS code. Refer to the hyperlink provided for assistance.

3. **Small Business Size Standard:** Enter either the number of employees or dollar amount. Refer to the hyperlink provided for assistance.

B. Commercial Item / Non-commercial item: Check the appropriate box. See [FAR 2.101](#) for definition of commercial item.

C. Competitive/ Non-competitive: Check the appropriate box.

D. Green Procurement items: Check the appropriate box as to whether or not the requirement involves the purchase of supplies or services identified as Green items.

E. Environmental Health & Safety (EHS) Requirements: Check the appropriate box as to whether or not the requirement involves EHS concerns. Refer to DTAP subpart 1023.70 and any Bureau EHS policy for details.

F. Independent Government Cost Estimate (IGCE) amount: Enter the IGCE dollar amount, inclusive of all options and other monetary incentives.

G. Subcontracting Possibilities: Check the appropriate box as to whether or not the requirement lends itself to subcontracting opportunities.

H. The requirement can be best met via: Check the box that best applies.

I. Identification of Small Businesses: Check the box that applies. Also, if small businesses were identified also check all applicable socio-economic category(ies).

J. Opportunity to provide for small businesses: Check all that apply. Examples of Other are: teaming agreements; mentor-protégé. For information on set-aside see FAR 19.502-2.

K. Potential source(s) identified: For each potential source identified enter their: name/ name of the company, business size (note business size is dependent on the NAICS code identified) and socio-economic status (if applicable). If the number of potential sources identified exceeds the rows provided create an attachment.

L. Additional findings/ outcomes (see FAR 10.002, 11, 12.2 and DTAP 10.10): Discuss additional findings or outcomes resulting from the market research efforts conducted. For example, (1) reviewed AbilityOne and they do not provide the product/service needed; (2) the CO's decision *not* to set-aside an action when using the GSA Federal Supply Schedule; (3) the decision not to use a FSSI (3) the CO's decision on which of Part III. J options represent the best option to pursue.

PART IV. CONCLUSION: Describe in sufficient detail the analysis of the capabilities of the potential sources identified and the conclusion made based on the analysis, inclusive of but not limited to discussion of the ability to set-aside the requirement, anticipated level of competition, subcontracting, commerciality, FAR part(s) anticipated to be used; impacts on the procurement (e.g. Buy American Act or Agency/Bureau specific requirements); identification of industry practices (e.g. contract financing (see FAR 12.210), warranty) or market conditions.

PART V. PREPARED/ APPROVED BY:

1. thru 3. Enter the names and obtain the signatures of the individuals listed.

4. **Attachments:** Check the box that applies. If attachments are included also enter their titles in the space provided.

PART VI. SMALL BUSINESS REVIEW: Complete this part only if it applies (see DTAP 1004.70 and Bureau applicable procedures).

A. The SBS completes this block by entering their name, checking the appropriate box that applies and then signing and dating the form.

B. If the SBS does not concur with the CO's findings and resultant conclusion, the CO shall complete this block by checking the appropriate box; if the CO rejects the SBS recommendations then they must provide their reasons, sign and date the form and then follow the process outlined in DTAP 1004.70.

